

### REMARKS

Claims 1; 5; 16; and 18 have been canceled.

Claims 2 to 4; 6 to 11; 15; and 17 have been amended. As amended, all of these claims are method claims. New method claim 19 has been presented.

Claims 2 to 4; 6 to 11; 15; 17; and 19 remain in the application. Among these, claim 15 is the sole independent method claim.

Claims 12, 13, and 14 stand withdrawn, subject to reinstatement upon allowance of a generic claim. Applicant believes method claim 15, as amended, is generic and, accordingly, withdrawn claims 12; 13; and 14 have been amended to place them in dependent method claim form, so that they can be reinstated upon allowance of a generic method claim.

As amended, independent claim 15 defines a method for retaining a native mitral heart leaflet to resist retrograde flow. The method comprises providing an implant that retains a native mitral heart valve leaflet to resist retrograde flow. The implant comprises a scaffold sized and configured to rest adjacent all or a portion of a native mitral heart valve annulus. As further defined in amended claim 15, at least a portion of the scaffold defines a pseudo-annulus and includes a retaining structure near or within the pseudo-annulus that is sized and shaped to overlay at least a portion of one or more native mitral valve leaflets. The scaffold further includes spaced-apart struts sized and configured to contact tissue near or within the mitral heart valve annulus to brace the retaining structure to resist leaflet eversion and/or prolapse. The method defined in amended claim 15 further establishes an intravascular access path that extends from a right atrium through a septum and into a left atrium and introduces the implant through the intravascular path into the left atrium. As further defined in amended claim 15, the method resists leaflet eversion and/or prolapse by locating the scaffold adjacent all or a portion of the native mitral heart valve annulus to define a pseudo-annulus with the retaining structure overlaying at least a portion of one or more native mitral valve leaflets and with the spaced-apart struts contacting tissue near or within the mitral heart valve annulus to brace the retaining structure.

Claims 2 to 4; 6 to 11; 15; and 17 stand rejected under 35 U.S.C. § 102(e) based upon Bailey (US 6,458,153). Claims 15 and 17 also stand rejected under 35 U.S.C. § 102(e) based upon Spence (US 7,166,126).

Neither Bailey nor Spence teach or suggest a method for retaining a native mitral heart leaflet to resist retrograde flow, as defined in amended claim 15, that establishes an intravascular access path that extends from a right atrium through a septum and into a left atrium and that introduces an implant through the intravascular path into the left atrium. Furthermore, Bailey does not teach or suggest the deployment of a pseudo-annulus with the retaining structure overlaying at least a portion of one or more native mitral valve leaflets. Bailey removes the native valve leaflets. While Spence retains the native leaflets, Spence's implant is not sized or configured for introduction and deployment through an intravascular path that extends from a right atrium through a septum and into a left atrium.

The Examiner's attention is directed to the Information Disclosure Statement that accompanies this Amendment. The Statement makes of record in this case documents that are of record in related, commonly-owned applications. The documents listed in the Statement are arranged in Groups 1, 2, and 3 to facilitate the Examiner's review. Group 1 lists documents that are of record in related application Serial No. 10/695,433, now United States Patent US 7,291,168, examined by Examiner Suzette Gherbi (Art Unit 3738). Group 2 lists documents that are of record in related application Serial No. 10/677,104, now being examined by Examiner David Izquierdo (Art Unit 3738). Group 3 lists documents that are of record in related application Serial No. 10/676,815, examined by Examiner Alvin Stewrat (Art Unit 3738). Copies of the documents accompany the Information Disclosure Statement.

Allowance of claims 2 to 4; 6 to 11; 15; 17; and 19 is respectfully requested.

Respectfully Submitted,

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